

March 1, 2023

Senator Ron Latz and Representative Sandra Feist,

I write in support of SF997. The time has come for claims of injury to survive the death of the decedent and allow damages for their pain and suffering to be awarded. The current restrictions affect our elder population the most. They have limited time to bring injury claims and limited life span. They are vulnerable. My mother was neglected in several long-term care facilities, leading to her injury and death. I cannot reconcile that there is NO place under the law to seek accountability for all of the pain, suffering, and injury she incurred as a result of the negligence of the facilities.

My mother was neglected to death first in a memory care unit, where she was **admitted on 10/27/2020**. I witnessed poor hygiene and infection control. **Within 15 days my Mom caught COVID** (It takes 3 days for symptoms to show-I **saw her on the 11th & she seemed fine-On the 14th she had chills, dry cough & runny nose and on the 15th a confirmed fever over 100**). They were not monitoring her symptoms. She became very sick and had diarrhea causing dehydration. The facility would leave her alone covered in feces from diarrhea she was **not** assisted to the shower and passed out from dehydration. I was my mom's agent, yet the severity of her illness and dehydration were not communicated to me. When she passed out in the shower on **11/19/2020**, she hit her head. She sustained a head injury from which she would never recover. She had to be taken to the head injury unit at HCMC the EMT explained to me because of the severity of **the head injury** and that was the only hospital that treats that severity. Yet, HCMC released her back to memory care that night because of lack of beds. When I finally got an aide at memory care to answer her phone and hand it to her, she was speaking gibberish, which she had not done before. The hospital wrote her off because she was 82 and had dementia.

On **11/24/20**, I was finally called by the memory care stating they needed my okay to send my Mom to the hospital. For the first time, I was told that she had been in bed sleeping for days. Of course, I wanted her sent to the hospital; she was admitted for **severe COVID** and I was still not getting full honest reports about the severity of her illness from the hospital. I insisted they keep her at the hospital. They kept trying to discharge her. I kept refusing to sign-off on the discharge given how sick she was. One of the doctors was yelling at me saying "Her vitals are fine; she needs to go. We need the bed."

On **12/4/20** she went onto a TCU to get stronger we were told. Yet I find out she is too weak to feed herself and to sit up in bed on her own & that they were bringing the food & water to her mouth. The **ONLY** reason she didn't die there was because we talked them into letting my sister in to coax her into eating & drinking more. We figured she was just really sad from not getting to see us and that would take care of that issue. Turned out, she wasn't eating or drinking at all due to weakness and we were being lied to. When I saw her (**On a video call-12/11/20**), she looked so severely dehydrated, underweight and sick, having suffered greatly from the head injury and dehydration.

On **12/14/20** at the TCU, my sister was brought to my mom's room. They then wheeled my mom into the room in a wheelchair. She was unconscious and freezing cold (in a short-sleeved shirt that was not hers). When they finally got a nurse in to take her oxygen level it was at 60. I was her POA & Guardian, so I was called to be brought up to speed and asked what I wanted them to do. Really? I said to call 911. They did and the ambulance came. It took 3 days to slowly bring her into consciousness because she was suffering from **hypernatremia**, which is too much sodium in the blood/brain caused by severe dehydration. Severe dehydration can lead to brain damage and even death in some cases. She also had a **pressure sore** so severe that only the special care wound team could treat & sepsis (I was not told of the **sepsis**, I found out from reading it in the medical files I requested after she passed)

Needless to say, she never left the hospital. They waited until they decided she only had death left as a choice, then we got to see her before I moved her to private hospice-**1/5/21** where they kept her sedated on medication. Under the tender care of my sister and myself, my mother looked better upon her death days later than she did when first seeing her than after the negligence of the facility.

I really thought more of our state. We are the only state to not allow these claims to survive. Our government decides daily to put money ahead of people's lives. I had consulted an attorney, whose opinion it was that Minnesota Statutes 573.02 would make it impossible or nearly impossible to prevail. Because MN would rather protect big business instead of our loved ones, I now have to try to live my life knowing my mother was basically tortured and I wasn't able to protect her, nor am I able to get justice for her after her death. The injustice and pain she suffered from at the hands of care providers was unbearable. There is no justice for my mother under the current law. Oftentimes the pain and suffering is the most significant damage to our elder population, yet that is not recoverable. There is no incentive to avoid or to resolve claims of injury when the claims go away upon death. I keep thinking of my mother. She could not survive her injuries, but at the very least her claims should.

Thank you for your time on this matter.

Sincerely,
Cindy Laube-CSM, CPPM, ITIL V3, MnHIT, A+
Strengths: Harmony, Responsibility, Consistency, Relator, Discipline

3121 W 69th St.
#425
Edina, MN. 55435